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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,702	01/04/2002	Valeria Molnar	915-416	5458

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EXAMINER

IQBAL, KHAWAR

ART UNIT

PAPER NUMBER

2686

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/041,702

Applicant(s)

MOLNAR ET AL.

Examiner

Khawar Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11-10-05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich et al (6101393) and further in view of Vudali (6151499).

3. Regarding claims **1,7 and 10,11** Alperovich et al teaches a method for (fig. 3) restricting a message service in a communication network, wherein at least a sender and a recipient of a message communication in said network are identifiable by a respective address; said method comprising the steps of (figs. 2-6):

keeping a record containing information about certain addresses with which a message communication is not allowed (col.2, lines 5-22, col. 4, lines 30-46); deciding whether a message communication with a certain address is allowed or not, and writing information of unallowed addresses in said record, thus determining contents of said record (col. 2, lines 5-22, col. 4, lines 30-46); receiving a request for establishing a message communication (col. 2, lines 5-22, col. 4, lines 30-46); analyzing on the basis of the information in the record whether a message communication is allowed (col. 2, lines 5-22, col. 4, lines 30-46); and preventing the transmission of a message if said message is related to an unallowed address according to the analyzing step, wherein each of said decision step and said preventing step is done in said communication

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network, and said record(col. 2, lines 5-22, col. 4, line 30-col. 5, lines 3 and see above). Alperovich et al does not specifically teach switching center of said communication network.

In an analogous art, Vudali teaches switching center of said communication network (col. 3, lines 1-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Alperovich et al by specifically adding features switching center of said communication network in order to enhance MSC included HLR (HLR/MSC) a need to control for an integrated switch providing both MSC and HLR functions with a single CPU to increasing the efficiency of the communication system as taught by Vudali.

Regarding **claim 2** Alperovich et al teaches wherein one of said sender and said receiver is a message service center (col. 2, lines 5-22).

Regarding **claim 3** Alperovich et al teaches wherein said switching center is a visited switching center, to which a terminal of a subscriber being involved in said message communication is related at a time when said message is to be transmitted (col. 4, lines 15-20 and lines 50-67).

Regarding **claim 4** Alperovich et al teaches wherein said switching center is an interworking switching center (col. 2, lines 5-22, col. 4, lines 30-46).

Regarding **claim 5** Alperovich et al teaches wherein said contents of said record are subscriber specific (col. 4, lines 15-25).

Regarding **claim 6** Alperovich et al teaches wherein said record is common to a group of subscribers (col. 6, lines 10-20).

Regarding **claim 8** Alperovich et al teaches wherein one of said sender and said receiver is a message service center (col. 2, lines 5-22).

Regarding **claim 9** Alperovich et al teaches wherein said switching center is a visited switching center, to which a terminal of a subscriber being involved in said message communication is related at a time when said message is to be transmitted (col. 4, lines 15-20 and lines 50-67, see above).

Regarding **claim 12** Alperovich et al teaches wherein one of said sender and said receiver is a message service center (col. 2, lines 5-22, also see claim 1).

Regarding **claim 13** Alperovich et al teaches wherein said switching center is a visited switching center, to which a terminal of a subscriber being involved in said message communication is related at a time when said message is to be transmitted (col. 4, lines 15-20 and lines 50-67, also see claim 1).

Regarding **claim 14** Alperovich et al teaches wherein said switching center is an interworking switching center (col. 2, lines 5-22, col. 4, lines 30-46, also see claim 1).

Response to Arguments

4. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). An HLR is a database in a cellular system that contains all the subscribers within

the provider's home service area. Those of ordinary skill in the art will understand that an HLR can be a standalone device such as a server or the functionality of an HLR can be integrated into another network device, such as into an MSC or VLR effectively making the device a combined MSC/HLR or VLR/HLR device. Examiner would like to further indicate to the applicant that reference Vudali (6151499) was combined with Alperovich et al (6101393) in order to show it would be obvious to implement the function of the HLR taught by Alperovich et al (6101393) into an MSC as taught by Vudali (6151499). Therefore, it would have been obvious to develop an MSC taught by Vudali (6151499) possessing in HLR also by Vudali (6151499), the HLR possessing the functionality taught by Alperovich et al (6101393).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-7909.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Khawar Iqbal

Marsha D Banks-Harold
MARSHA D. BANKS-HAROLD
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